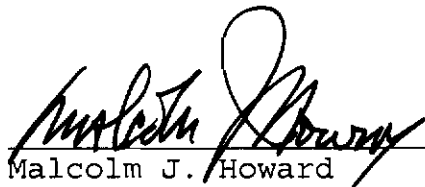


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:98-CR-9-4H

| | | |
|---------------------------|---|-------|
| DARRYL GRIFFIN, |) | |
| Petitioner, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| Respondent. |) | |

This matter is before the court on petitioner's motion for application of Amendment 599 of the United States Sentencing Guidelines. Amendment 599 expanded the commentary regarding under what circumstances defendants sentenced for violations of 18 U.S.C. § 924(c) in conjunction with other offenses may receive weapons enhancements for those other offenses. As petitioner was not convicted of a violation of 18 U.S.C. § 924(c), this Amendment is inapplicable to his case. Therefore, petitioner's motion [DE #433] is DENIED.

This 7th day of November 2011.



Malcolm J. Howard
Senior United States District Judge